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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(San Joaquin)

THE PEOPLE,

Plaintiff and Respondent,

v.

EDWARD JIMMY GRANT,

Defendant and Appellant.

C064479

(Super. Ct. No.
SF113117A)

In October 2009, defendant Edward Jimmy Grant stole a 1999 Acura automobile. In November 2009, he pleaded no contest to unlawfully driving and taking a vehicle (Veh. Code, § 10851, subd. (a)) and admitted allegations that he had suffered a prior serious felony conviction (Pen. Code, §§ 667, subds. (b)-(i), 1170.12; further undesignated statutory citations are to the Penal Code) and had served a prior prison term (§ 667.5, subd. (b)). In exchange, a related count of receiving a stolen motor vehicle (§ 496d, subd. (a)) was dismissed.

Defendant entered his pleas with the understanding that he would be released from custody for the holidays and, if he returned on the scheduled date without having engaged in criminal activity in the interim, he would be allowed to withdraw his admission of the prior serious felony conviction.

In January 2010, defendant appeared as scheduled and withdrew his admission of the prior conviction. He was sentenced to state prison for a stipulated term of four years, awarded 48 days' custody credit and 48 days' conduct credit, and ordered to pay a \$200 restitution fine (\$ 1202.4) plus \$20 collection fee, a \$200 restitution fine suspended unless parole is revoked (\$ 1202.45), a \$30 court security fee (\$ 1465.8), and a \$30 court facilities assessment (Gov. Code, § 70373).

We appointed counsel to represent defendant on appeal. Counsel filed an opening brief that sets forth the facts of the case and requests this court to review the record and determine whether there are any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436.) Defendant was advised by counsel of the right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days elapsed, and we received no communication from defendant. Having undertaken an examination of the entire record, we find no arguable error that would result in a disposition more favorable to defendant.

DISPOSITION

The judgment is affirmed.

HULL, J.

We concur:

BLEASE, Acting P. J.

MAURO, J.